

(d) Erroneous payments as bar to further recovery.

Whenever the Secretary of the Treasury, or the Comptroller General of the United States, as the case may be, shall find that any person is entitled to any such payment, after such payment shall have been received by such person, it shall be an absolute bar to recovery by any other person against the United States, its officers, agents, or employees with respect to such payment.

(e) Acquiescence in conditions of chapter.

Any person who makes application for any such payment shall be held to have consented to all the provisions of this chapter.

(f) Non-assumption of liability by United States on claims against foreign governments.

Nothing in this chapter shall be construed as the assumption of any liability by the United States for the payment or satisfaction, in whole or in part, of any claim on behalf of any national of the United States against any foreign government. (Mar. 10, 1950, ch. 54, § 7, 64 Stat. 16.)

§ 1627. Creation of special funds in Treasury—(a) Credits to, and payment from funds.

There are created in the Treasury of the United States (1) a special fund to be known as the Yugoslav Claims Fund; and (2) such other special funds as may, in the discretion of the Secretary of the Treasury, be required, each to be a claims fund to be known by the name of the foreign government which has entered into a settlement agreement with the Government of the United States as described in subsection (a) of section 1623 of this title. There shall be covered into the Treasury to the credit of the proper special fund all funds hereinafter specified. All payments authorized under section 1626 of this title shall be disbursed from the proper fund, as the case may be, and all amounts covered into the Treasury to the credit of the aforesaid funds are hereby permanently appropriated for the making of the payments authorized by section 1626 of this title.

(b) Credits to Yugoslav Claims Fund; credits to other funds.

The Secretary of the Treasury is authorized and directed to cover into—

(1) the Yugoslav Claims Fund the sum of \$17,000,000 being the amount paid by the Government of the Federal People's Republic of Yugoslavia pursuant to the Yugoslav Claims Agreement of 1948;

(2) a special fund created for that purpose pursuant to subsection (a) of this section any amounts hereafter paid, in United States dollars, by a foreign government which has entered into a claims settlement agreement with the Government of the United States as described in subsection (a) of section 1623 of this title.

(c) Payment of awards.

The Secretary of the Treasury is authorized and directed out of the sums covered into any of the funds pursuant to subsection (b) of this section, and after making the deduction provided for in section 1626 (b) of this title—

(1) to make payments in full of the principal of awards of \$1,000 or less, certified pursuant to section 1624 of this title;

(2) to make payments of \$1,000 on the principal of each award of more than \$1,000 in principal amount, certified pursuant to section 1624 of this title;

(3) to make additional payment of not to exceed 25 per centum of the unpaid principal of awards in the principal amount of more than \$1,000;

(4) after completing the payments prescribed by paragraphs (2) and (3) of this subsection, to make payments, from time to time in ratable proportions, on account of the unpaid principal of all awards in the principal amount of more than \$1,000, according to the proportions which the unpaid principal of such awards bear to the total amount in the fund available for distribution at the time such payments are made; and

(5) after payment has been made of the principal amounts of all such awards, to make pro rata payments on account of accrued interest on such awards as bear interest.

(d) Payment of balance to Yugoslav Government; certification of adjudication costs; finality of certification.

The Secretary of the Treasury, upon the concurrence of the Secretary of State, is authorized and directed, out of the sum covered into the Yugoslav Claims Fund pursuant to subsection (b) of this section, after completing the payments of such funds pursuant to subsection (c) of this section, to make payment of the balance of any sum remaining in such fund to the Government of the Federal People's Republic of Yugoslavia to the extent required under article 1 (c) of the Yugoslav Claims Agreement of 1948. The Secretary of State shall certify to the Secretary of the Treasury the total cost of adjudication, not borne by the claimants, attributable to the Yugoslav Claims Agreement of 1948. Such certification shall be final and conclusive and shall not be subject to review by any other official, or department, agency, or establishment of the United States. (Mar. 10, 1950, ch. 54, § 8, 64 Stat. 17.)

Chapter 22.—MUTUAL SECURITY ASSISTANCE**SUBCHAPTER I.—ORGANIZATION AND GENERAL PROVISIONS****Sec.**

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SUBCHAPTER I.—ORGANIZATION AND GENERAL PROVISIONS

§ 1651. Congressional declaration of purpose.

(a) The Congress declares it to be the purpose of this chapter to maintain the security and to promote the foreign policy of the United States by authorizing military, economic, and technical assistance to friendly countries to strengthen the mutual security and individual and collective defenses of the free world, to develop their resources in the interest of their security and independence and the national interest of the United States and to facilitate the effective participation of those countries in the United Nations system for collective security. The purposes of the Mutual Defense Assistance Act of 1949, as amended, the Economic Cooperation Act of 1948, as amended, and the Act for International Development shall hereafter be deemed to include this purpose.

(b) The Congress welcomes the recent progress in political federation, military integration, and economic unification in Europe and reaffirms its belief in the necessity of further vigorous efforts toward these ends as a means of building strength, establishing security, and preserving peace in the North Atlantic area. In order to provide further encouragement to such efforts, the Congress believes it essential that this chapter should be so administered as to support concrete measures for political federation, military integration, and economic unification in Europe. Appropriations made pursuant to section 1681 (a) (1) of this title, relating to military assistance, and section 1681 (a) (2) of this title, relating to defense support and economic assistance, may be used, pursuant to the applicable terms and conditions of the Mutual Defense Assistance Act of 1949, as amended, and of section 1654 of this title, respectively, to furnish assistance (including, in the case of amounts available pursuant to section 1681 (a) (2) of this title, transfers of funds) to any of the following organizations: (A) The North Atlantic

Treaty Organization, (B) the European Coal and Steel Community, (C) the organization which may evolve from current international discussions concerning a European defense community. (Oct. 10, 1951, ch. 479, § 2, 65 Stat. 373; as amended June 20, 1952, ch. 449, § 2, 66 Stat. 141.)

REFERENCES IN TEXT

The Mutual Defense Assistance Act of 1949, as amended, referred to in the text, is classified to chapter 20 of this title.

The Economic Cooperation Act of 1948, as amended, referred to in the text, is classified to subchapter I of chapter 19 of this title.

The Act for International Development, referred to in the text, is classified to subchapter VI of chapter 19 of this title.

In the original, "this chapter" read "this Act" meaning act Oct. 10, 1951. Said act is classified to this chapter, and to sections 286b, 1509, 1513, 1557b, 1557e, 1574 and 1580 of this title, and section 402 of Title 50, War and National Defense.

AMENDMENTS

1952—Act June 20, 1952, amended section by making entire former section subsection (a) and by adding subsection (b).

EFFECTIVE DATE

Section 531 of act Oct. 10, 1951 provided that: "Sections 502 (a), (b) (2), and section 504 (b) of this Act [sections 1653 (a), (b) (2), and 1655 (b) of this title] shall take effect on such date or dates as the President shall specify, but in no event later than sixty days after the date the Director first appointed takes office. Section 511 [section 1662 of this title] shall take effect ninety days after enactment of this Act [Oct. 10, 1951]. All other provisions of this Act [this chapter, amendments to sections 286b (a), 1509 (c), 1513 (b) (6), (h), 1547, 1557b (b), 1557e, 1574 (d), and 1580 of this title, and section 402 (a) of Title 50, and the repeal section 1557l of this title] shall take effect upon the date of its enactment."

SHORT TITLE

Congress, in enacting this chapter, amendments to sections 286b (a), 1509 (c), 1513 (b) (6), (h), 1557b (b), 1557e (d), 1574 (d) and 1580 of this title, and amendment to section 402 (a) of Title 50, provided by section 1 of act Oct. 10, 1951, that they should be popularly known as the "Mutual Security Act of 1951."

Congress in enacting act June 20, 1952, which amends this chapter generally, provided by section 1 of said act June 20, 1952, that it should be popularly known as the "Mutual Security Act of 1952". For the distribution of this act, see Tables Volume.

§ 1652. Uniform program for military, economic, and technical assistance—(a) Appointment of Director for Mutual Security; primary responsibilities.

In order that the programs of military, economic, and technical assistance authorized by this chapter may be administered as parts of a unified program in accordance with the intent of Congress and to fix responsibility for the coordination and supervision of these programs in a single person, the President is authorized to appoint in the Executive Office of the President a Director for Mutual Security. The Director, on behalf of the President and subject to his direction, shall have primary responsibility for—

(1) continuous supervision and general direction of the assistance programs under this chapter to the end that such programs shall be (A) effectively integrated both at home and abroad, and (B) administered so as to assure that the defensive strength of the free nations of the world shall be built as

quickly as possible on the basis of continuous and effective self-help and mutual aid;

(2) preparation and presentation to the Congress of such programs of foreign military, economic, and technical assistance as may be required in the interest of the security of the United States;

(3) preparation for the President of the report to the Congress required by section 1669 of this title and the supervision, coordination, and evaluation of all reports prepared by agencies of the United States Government in the course of their operations under this chapter, in order to prevent duplication of effort and to insure a reduction of reporting requirements to the minimum essential for effective operation.

(b) Restrictions on Director as to outside activities.

Except as otherwise provided by this chapter, the Director shall not hold any other office or employment under the United States and shall not have any other responsibilities except those directly related to the coordination, supervision, and direction, of the programs covered by this chapter or otherwise conferred upon him by law.

(c) Appointment of Director by President; compensation.

The Director shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of \$22,500 per annum.

(d) Utilization of positions created under section 1577 (e).

For the purpose of carrying out the provisions of this section, the President is authorized to utilize the positions created in subsection (e) of section 1577 of this title. No person may serve in any such position under this subsection while at the same time he is an officer or employee of any other department or agency of the Government. (Oct. 10, 1951, ch. 479, title V, § 501 (a—d), 65 Stat. 377; June 20, 1952, ch. 449, § 7 (b), 66 Stat. 143.)

CODIFICATION

Section constitutes subsections (a)—(d) of section 501 of act Oct. 10, 1951. Subsection (e) of such section 501 amended section 286b of this title and section 402 of Title 50, War and National Defense, and is classified to those sections.

AMENDMENTS

1952—Subsec. (a) (3) amended by act June 20, 1952, which inserted provisions relating to the supervision, coordination, and evaluation of all reports prepared by United States Government agencies.

Ex. ORD. NO. 10300. DELEGATION OF FUNCTIONS

Ex. Ord. No. 10300, Nov. 2, 1951, 16 F. R. 11203, as amended by Ex. Ord. No. 10368, June 30, 1952, 17 F. R. 5929, provided:

SECTION 1. *Delegation to the Director for Mutual Security of functions of the President.* (a) Except as otherwise provided in this order, the functions conferred upon the President by the following-designated laws are hereby delegated to the Director for Mutual Security: the Mutual Security Act of 1951, 65 Stat. 373, as amended [section 1651 et seq. of this title]; the Mutual Defense Assistance Act of 1949, 63 Stat. 714, as amended (22 U. S. C. 1571—1604); the act of May 22, 1947, 61 Stat. 103, as amended (22 U. S. C. 1401—1408); and those provisions of the Economic Cooperation Act of 1948, as amended (22

U. S. C. 1501 et seq.), which are continued in effect by section 503 of the Mutual Security Act of 1951, as amended [section 1654 of this title].

(b) There are hereby excluded from the functions delegated by section 1 (a) of this order:

(1) The functions conferred upon the President by the laws referred to in section 1 (a) of this order with respect to the appointment of officers required to be appointed by and with the advice and consent of the Senate, the transmittal of periodic or special reports to the Congress, and the termination or withdrawal of assistance.

(2) The functions conferred upon the President with respect to findings, determinations, certification, agreements, transfers of funds, or directives, as the case may be, by sections 101 (a) (1), 101 (b), 202, 302 (a), 303 (a) (last sentence), 401, 503 (a) (3), 507 (except as provided in Executive Order No. 10338 of April 5, 1952 [set out as a note under section 1658 of this title]), 511, 513 (a), 513 (b), 530, and 532 of the Mutual Security Act of 1951, as amended [sections 1681, 1692, 1702, 1703, 1711, 1654, 1658, 1662, 1664, 1675, and 1675A of this title]; sections 303, 402, 407 (b) (2), 408 (f), and 411 (b) of the Mutual Defense Assistance Act of 1949, as amended [sections 1604, 1573, 1578, 1580, 1583 of this title]; sections 105 (c), 111 (b) (2) (first clause), and 119 of the Economic Cooperation Act of 1948, as amended [sections 1504, 1509, 1517 of this title]; and so much of the functions conferred by section 5 of the act of May 22, 1947, as amended [section 1405 of this title], as relates to regulations providing for coordination among representatives of the United States Government in each foreign country concerned.

(c) Funds which have been or may be appropriated or otherwise made available to the President to carry out the laws referred to in section 1 (a) hereof, and section 12 of the Mutual Security Act of 1952 (Public Law 400, approved June 20, 1952) [set out as a note under section 1536 of this title], shall be deemed to be allocated to the Director for Mutual Security without any further action by the President, and the said funds may be allocated by the Director for Mutual Security to any agency, department, establishment or wholly-owned corporation of the Government for obligation or expenditure thereby, consistent with applicable law, subject, however, to the reservation of functions relating to transfer of funds set forth in section 1 (b) (2) hereof.

(d) The functions delegated to the Director for Mutual Security by this section shall be deemed to include the authority to redelegate the functions so delegated.

SEC. 2. Designation of agency to pay ocean freight charges on relief supplies and packages and to make informational media guaranties. (a) The Department of State is hereby designated as the department of the Government which shall after June 30, 1952, exercise the authority to pay ocean freight charges on shipments of relief supplies and packages under section 117 (c) of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1515 (c)), and section 535 of the Mutual Security Act of 1951, as amended [section 1675d of this title]. The Director for Mutual Security shall, consistent with applicable law, allocate to the Department of State such amounts of funds now or hereafter available as the Director shall determine to be required for carrying out the purposes of the said sections 117 (c), as amended, and 535 [sections 1515, 1675d of this title], including the liquidation of obligations incurred prior to July 1, 1952, under the said section 117 (c), as amended [section 1515 of this title].

(b) The Department of State is hereby designated as the department of the Government which shall after June 30, 1952, exercise the authority to make informational media guaranties under section 111 (b) (3) of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1509 (b) (3)), and section 536 of the Mutual Security Act of 1951, as amended [section 1675e of this title], and to administer such guaranties made prior to July 1, 1952. The Director for Mutual Security, after consultation with the Secretary of State, shall fix (and may from time to time revise) an amount representing that portion of the limitation prescribed by section 111 (b) (3) (v) of the Economic Cooperation Act of 1948, as amended [section 1509 of this title], which may be utilized by the

Secretary of State for informational media guaranties, including the liquidation of obligations outstanding under such guaranties as of the close of business on June 30, 1952.

(c) There shall be transferred to the Department of State so much of the personnel, records, and property of the Mutual Security Agency relating to the functions referred to in sections 2 (a) and 2 (b) of this order as the Director for Mutual Security shall determine to be necessary for use in connection with such functions.

SEC. 3. Delegation of functions relating to movement of migrants and to United Nations Children's Fund. (a) The function conferred upon the President by section 534 of the Mutual Security Act of 1951, as amended [section 1675c of this title], of contributing to the Provisional Intergovernmental Committee for the Movement of Migrants from Europe is hereby delegated to the Secretary of State.

(b) The function conferred upon the President by section 12 of the Mutual Security Act of 1952 [section 1536 note of this title] of contributing to the United Nations International Children's Emergency Fund is hereby delegated to the Secretary of State.

(c) The Director for Mutual Security shall allocate to the Department of State funds which have been or may be appropriated or otherwise made available to carry out the functions referred to in sections 3 (a) and 3 (b) of this order.

SEC. 4. International development. The administration of programs under the Act for International Development (Title IV of the act of June 5, 1950, 64 Stat. 204, as amended (22 U. S. C. 1557 et seq.)), in accordance with Executive Order No. 10159 of September 8, 1950 [set out as a note under section 1557q of this title], shall be subject to coordination, direction, and supervision by the Director for Mutual Security in accordance with section 501 (a) of the Mutual Security Act of 1951, as amended [section 1652 of this title]; and the said Executive Order No. 10159 [set out as a note under section 1557g of this title] is amended accordingly.

SEC. 5. Coordination with foreign policy. The Secretary of State and the Director for Mutual Security shall establish and maintain arrangements which will insure that the programs included in the Mutual Security Act of 1951, as amended [section 1651 et seq. of this title], shall be carried out in conformity with the established foreign policy of the United States.

SEC. 6. Interrelationship of Director and Secretary of Defense. (a) Consonant with section 501 (a) of the Mutual Security Act of 1951, as amended [section 1652 of this title], the Secretary of Defense shall exercise the responsibility and authority vested in him by section 506 (a) of the said Act, as amended [section 1657 of this title], subject to coordination, direction, and supervision by the Director for Mutual Security.

(b) The Secretary of Defense shall keep the Director for Mutual Security fully and currently informed of all matters, including prospective action, relating to the establishment of priorities under section 506 (b) [section 1657 of this title] and the furnishing of military items under section 506 (c) of the Mutual Security Act of 1951, as amended [section 1657 of this title].

SEC. 7. Economic cooperation. (a) December 30, 1951, is hereby fixed as the date on which sections 502 (a), 502 (b) (2), and 504 (b) of the Mutual Security Act of 1951 [sections 1653, 1655 of this title] shall take effect.

(b) The Mutual Security Agency is hereby designated as the agency responsible for liquidating any outstanding affairs of the Economic Cooperation Administration which are now or hereafter required to be discontinued by law; and the said Agency shall be deemed to be the successor of the said Administration in all respects, subject to the provisions of the Mutual Security Act of 1951, as amended [section 1651 et seq. of this title].

SEC. 8. Transfer of personnel, property, records, and funds. So much of the personnel, records, property, and unexpended balances of appropriations, allocations, and other funds of the Department of State as the Director of the Bureau of the Budget determines to relate to functions under the Mutual Defense Assistance Act of 1949, as amended [sections 1571—1604 of this title], and the

said act of May 22, 1947 [sections 1401—1408 of this title] and to be required by the Director for Mutual Security for the performance of his functions hereunder shall be transferred to the Director for Mutual Security.

Sec. 9. Prior orders. (a) Effective as of the date fixed in section 7 (a) hereof, with respect to provisions then in force, and except as may be inappropriate, references in prior Executive orders to the Economic Cooperation Administration, the Administrator for Economic Cooperation, and the United States Special Representative for (or in) Europe, shall be considered as references to the Mutual Security Agency, the Director for Mutual Security, and the Special Representative in Europe (provided for in section 504 (a) of the Mutual Security Act of 1951, as amended) [section 1655 of this title], respectively.

(b) To the extent that any provision of any prior Executive order is inconsistent with the provisions of this order, the latter shall control and such prior provision is amended accordingly.

(c) All orders, regulations, rulings, certificates, directives, agreements, contracts, delegations, determinations, and other actions of any department, agency, or other establishment or officer of the Government relating to any function or under any authority continued in effect by the Mutual Security Act of 1951 [section 1651 et seq. of this title], as amended, shall remain in effect except as they are inconsistent herewith or are hereafter amended or revoked under proper authority.

(d) Executive Order No. 10099 of January 27, 1950 [set out as a note under section 1575 of this title], is hereby revoked. The International Security Affairs Committee (approved by the President December 19, 1950) is hereby terminated. The provisions of the identical letters of the President transmitted to the Secretary of State and the Administrator for Economic Cooperation on April 5, 1951, are hereby revoked.

Sec. 10. Definitions. As used in this order the term "functions" embraces duties, powers, responsibilities, authority, and discretion.

CROSS REFERENCES

Additional primary responsibilities of Director for Mutual Security, see section 1654 of this title.

§ 1653. Administration—(a) Abolishment of Economic Cooperation Administration and executive offices.

The Economic Cooperation Administration and the offices of Administrator for Economic Cooperation, Deputy Administrator, United States Special Representative in Europe, and Deputy Special Representative are abolished.

(b) Establishment of Mutual Security Agency; transfer of powers and functions of ECA Administrator to Director.

To assist in carrying out the purpose of this chapter—

(1) there is established, with its principal office at the seat of the government, a Mutual Security Agency, hereinafter referred to as the Agency, which shall be headed by the Director for Mutual Security; and

(2) there shall be transferred to the Director the powers, functions, and responsibilities conferred upon the Administrator for Economic Cooperation by the Economic Cooperation Act of 1948, as amended, and by any other law, but no such powers, functions, and responsibilities shall be exercised after June 30, 1952, except as provided in subsection (c) of this section.

(c) Extension of certain functions beyond June 30, 1952.

Not later than April 1, 1952, the President shall inform the Committee on Foreign Relations of the

Senate and the Committee on Foreign Affairs of the House of Representatives which of the powers, functions, and responsibilities transferred to the Director by subsection (b) (2) of this section are found by the President to be necessary to enable the Director after June 30, 1952, to carry out the duties conferred upon him by section 1654 of this title. The termination provisions of section 1520 of this title shall come into effect on June 30, 1952, and none of the powers, functions, and responsibilities conferred by the Economic Cooperation Act of 1948, as amended, shall be exercised after that date, except those powers, functions, and responsibilities found necessary to enable the Director to carry out the duties conferred on him by section 1654 of this title, which powers, functions, and responsibilities unless otherwise provided by law shall continue in effect until June 30, 1954. (Oct. 10, 1951, ch. 479, title V, § 502, 65 Stat. 378.)

REFERENCES IN TEXT

The Economic Cooperation Act of 1948, as amended, referred to in the text, is classified to subchapter I of chapter 19 of this title.

EFFECTIVE DATE

Subsecs. (a) and (b) (2) of this section as effective on such date or dates as the President shall specify, but in no event later than sixty days after the date the Director for Mutual Security first appointed takes office, see note under section 1651 of this title.

§ 1654. Additional primary responsibilities of Director; repeals.

(a) After June 30, 1952, the Director, on behalf of the President and subject to his direction, shall, in consultation with the Secretaries of State and Defense, continue to have primary responsibility for—

(1) the development and administration of programs of assistance designed to sustain and increase military effort, including production, construction, equipment and matériel in each country or in groups of countries which receive United States military assistance;

(2) the provision of such equipment, materials, commodities, services, financial, or other assistance as he finds to be necessary for carrying out mutual defense programs; and

(3) the provision of limited economic assistance to foreign nations for which the United States has responsibility as a result of participation in joint control arrangements when the President finds that the provision of such economic assistance is in the interest of the security of the United States.

(b) (1) Except as provided in paragraph (2), the Economic Cooperation Act of 1948, as amended, is repealed.

(2) Of the powers, functions, and responsibilities transferred to the Director for Mutual Security by section 1652 (b) (2) of this title, only those which are exercised pursuant to the provisions of the Economic Cooperation Act of 1948, as amended, enumerated in paragraph (3) of this subsection and are not in conflict with the other provisions of this chapter, may be exercised after June 30, 1952. Of the powers, functions, and responsibilities conferred on the President or the Secretary of State by the

Economic Cooperation Act of 1948, as amended, only those conferred by the provisions of that Act, as amended, which are referred to in paragraph (3) of this subsection may be exercised after June 30, 1952.

(3) The provisions of the Economic Cooperation Act of 1948, as amended, referred to above are the following: Sections 1503 (e) and (f); 1504 (c); 1505; subsections (a), (c), and (d) of section 1507; 1508 (a) and (b); 1509, 1510, 1511; subsections (d), (h), and (i) of section 1512; 1513 (a); 1513 (b), except the first sentence thereof; subsections (d), (h), and (j) of section 1513; section 1515 (c); 1516, 1517, 1518; and subsection (a) of section 1519. Where any of the above provisions refer to the purposes of the Economic Cooperation Act of 1948, as amended, such reference shall be deemed to be to the purpose of this chapter. (Oct. 10, 1951, ch. 479, title V, § 503, 65 Stat. 378; June 20, 1952, ch. 449, § 7 (c), 66 Stat. 144.)

REFERENCES IN TEXT

The Economic Cooperation Act of 1948, as amended, referred to in the text of subsec. (b) is classified to subchapter I of chapter 19 of this title.

AMENDMENTS

1952—Act June 20, 1952, amended section by making entire former section subsec. (a) and by adding subsec. (b).

CROSS REFERENCES

Other primary responsibilities of Director for Mutual Security, see section 1652 of this title.

§ 1655. Other Agency personnel—(a) Appointment of other executive officers; status and compensation.

To carry out the functions conferred by sections 1653 and 1654 of this title, there shall be in the Agency a Deputy Director, a Special Representative in Europe, and a Deputy Special Representative in Europe, who shall be appointed by the President by and with the advice and consent of the Senate. The Deputy Director shall receive compensation of \$17,500 per annum. The Special Representative in Europe shall receive the same compensation and allowances as a Chief of Mission, class 1, within the meaning of chapter 14 of this title, and have the rank of Ambassador Extraordinary and Plenipotentiary. The Deputy Special Representative in Europe shall be entitled to receive the same compensation and allowances as a Chief of Mission, class 3, within the meaning of chapter 14 of this title, and have the rank of Ambassador Extraordinary and Plenipotentiary.

(b) Transfers from Economic Cooperation Administration.

Any personnel of the Economic Cooperation Administration, upon the certification of the Director for Mutual Security and with the approval of the Director of the Bureau of the Budget that such personnel are necessary to carry out the functions of the Director for Mutual Security, and all records and property of such Administration which the Director of the Bureau of the Budget determines are used primarily in the administration of the powers and functions transferred to the Director for Mutual Security by this chapter, shall be transferred to the Mutual Security Agency.

(c) Compensation of personnel transferred.

Of the personnel employed in the United States on programs authorized by this chapter, not to exceed fifty may be compensated at rates higher than those provided for grade 15 of the general schedule established by the Classification Act of 1949, as amended, and of these, not to exceed fifteen may be compensated at a rate in excess of the highest rate provided for grades of such general schedule but not in excess of \$15,000 per annum. Such positions shall be in addition to those authorized by law to be filled by Presidential appointment, and in addition to the number authorized by section 1105 of Title 5.

(d) Restriction on number employed.

On and after January 1, 1952, the number of United States citizens employed by the Mutual Security Agency shall be at least 10 per centum less than the number employed by the Economic Cooperation Administration on August 31, 1951: *Provided*, That the Director for Mutual Security shall cause studies to be made from time to time for the purpose of determining whether further reductions in personnel are feasible and consistent with the accomplishment of the purposes of this chapter: *Provided further*, That, ninety days after the enactment of the Mutual Security Act of 1952, the number of civilian employees who are United States citizens, receiving compensation or allowances from the administrative expense appropriations authorized by this Act, employed in the United States and overseas by or assigned to the Mutual Security Agency, or employed by or assigned to the Department of State or the Department of Defense for carrying out programs the appropriations for which are authorized by this Act, and the military personnel assigned to such programs, shall be in the aggregate at least 5 per centum less than the number so employed or assigned on June 1, 1952, except for such personnel of the Department of Defense engaged in the manufacturing, repair, rehabilitation, packing, handling, crating, or delivery of matériel: *Provided further*, That after the Director has determined the reduction to be effected in each agency, the determination as to which individual employees shall be retained shall be made by the head of the agency concerned. (Oct. 10, 1951, ch. 479, title V, § 504, 65 Stat. 379; June 20, 1952, ch. 449, § 7 (d)—(f), 66 Stat. 144.)

REFERENCES IN TEXT

The Economic Cooperation Administration, referred to in subsecs. (b) and (d), was abolished by section 1653 of this title.

The Classification Act of 1949, as amended, referred to in subsec. (c), is classified to chapter 21 of Title 5, Executive Departments and Government Officers and Employees.

AMENDMENTS

1952—Subsec. (a) amended by act June 20, 1952, § 7 (d), to insert provisions relating to the compensation of the executive officers.

Subsec. (c) amended by act June 20, 1952, § 7 (e), which substituted "employed in the United States on programs authorized by this chapter", in lieu of "transferred to or employed by the Mutual Security Agency", and inserted provisions authorizing these positions to be filled by Presidential appointment.

Subsec. (d), amended by act June 20, 1952, § 7 (f), which added the last two provisos.

EFFECTIVE DATE

Subsec. (b) of this section is effective on such date or dates as the President shall specify, but in no event later than sixty days after the date the Director for Mutual Security first appointed takes office, see note under section 1651 of this title.

§ 1656. Powers of Secretary of State as unaffected.

Nothing contained in this chapter shall be construed to infringe upon the powers or functions of the Secretary of State. (Oct. 10, 1951, ch. 479, title V, § 505, 65 Stat. 379.)

§ 1657. Duties of Secretary of Defense.

(a) In the case of aid under this chapter for military end items and related technical assistance and advice, the Secretary of Defense shall have primary responsibility and authority for—

(1) the determination of military end-item requirements;

(2) the procurement of military equipment in a manner which permits its integration with service programs;

(3) the supervision of end-item use by the recipient countries;

(4) the supervision of the training of foreign military personnel; and

(5) the movement and delivery of military end items.

(b) The establishment of priorities in the procurement, delivery, and allocation of military equipment shall be determined by the Secretary of Defense. The apportionment of funds between countries shall be determined by the President.

(c) Notwithstanding any other provision of law, beginning with July 1, 1952, the Secretary of Defense may furnish (subject to reimbursement from funds appropriated pursuant to this chapter) military assistance out of the materials of war whose production in the United States shall have been authorized for, and appropriated to, the Department of Defense: *Provided, however,* That nothing in this chapter shall authorize the furnishing of military items under this subsection in excess of \$1,000,000,000 in value. For the purposes of this subsection (1) "value" shall be determined in accordance with section 1574 (c) of this title, and (2) the term "materials of war" means those goods, commonly known as military end items, which are required for the performance of their missions by armed forces of a nation, including weapons, military vehicles, ships of war under fifteen hundred tons, aircraft, military communications equipment, ammunition, maintenance parts and spares, and military hardware. (Oct. 10, 1951, ch. 479, title V, § 506, 65 Stat. 379; June 20, 1952, ch. 449, § 7 (g), 66 Stat. 145.)

AMENDMENTS

1952—Subsec. (c) amended by act June 20, 1952, which substituted "beginning with July 1, 1952" for "fiscal year 1952".

§ 1658. Coordination among representatives overseas.

The President shall prescribe appropriate procedures to assure coordination among representatives of the United States Government in each country, under the leadership of the Chief of the United

States Diplomatic Mission. (Oct. 10, 1951, ch. 479, title V, § 507, 65 Stat. 380.)

EX. ORD. NO. 10338. COORDINATION PROCEDURES

Ex. Ord. No. 10338, Apr. 4, 1952, 17 F. R. 3009, provided:

SECTION 1. *Functions of the Chief of the United States Diplomatic Mission.* (a) The Chief of the United States Diplomatic Mission in each country, as the representative of the President and acting on his behalf, shall coordinate the activities of the United States representatives (including the chiefs of economic missions, military assistance advisory groups, and other representatives of agencies of the United States Government) in such country engaged in carrying out programs under the Mutual Security Act of 1951 (hereinafter referred to as the Act) [this chapter], and he shall assume responsibility for assuring the unified development and execution of the said programs in such country. More particularly, the functions of each Chief of United States Diplomatic Mission shall include, with respect to the programs and country concerned:

(1) Exercising general direction and leadership of the entire effort.

(2) Assuring that recommendations and prospective plans and actions of the United States representatives are effectively coordinated and are consistent with and in furtherance of the established policy of the United States.

(3) Assuring that the interpretation and application of instructions received by the United States representatives from higher authority are in accord with the established policy of the United States.

(4) Guiding the United States representatives in working out measures to prevent duplication in their efforts and to promote the most effective and efficient use of all United States officers and employees having mutual security responsibilities.

(5) Keeping the United States representatives fully informed as to current and prospective United States policies.

(6) Prescribing procedures governing the coordination of the activities of the United States representatives, and assuring that these representatives shall have access to all available information essential to the accomplishment of their prescribed duties.

(7) Preparing and submitting such reports on the operation and status of the programs under the Act as may be directed by the Director for Mutual Security.

(b) Each Chief of United States Diplomatic Mission shall perform his functions under this order in accordance with instructions from higher authority and subject to established policies and programs of the United States.

(c) No Chief of United States Diplomatic Mission shall delegate any function conferred upon him by the provisions of this order which directly involves the exercise of direction, coordination, or authority.

SEC. 2. *Referral of unresolved matters.* The Chief of the United States Diplomatic Mission in each country shall initiate steps to reconcile any divergent views arising in the country concerned with respect to programs under the Act. If agreement cannot be reached the Chief of the United States Diplomatic Mission shall recommend a course of action, and such course of action shall be followed unless a United States representative requests that the issue be referred to higher authority for decision. If such a request is made, the parties concerned shall promptly refer the issue to higher authority for resolution prior to taking action at the country level. The Director for Mutual Security shall assure expeditious decisions on matters so submitted.

SEC. 3. *Effect of order on United States representatives.*

(a) All United States representatives in each country shall be subject to the responsibilities imposed upon the Chief of the United States Diplomatic Mission in such country by section 507 of the Mutual Security Act of 1951 [this section] and by this order.

(b) Subject to compliance with the provisions of this order and with the prescribed procedures of their respective agencies, all United States representatives affected by this order (1) shall have direct communication

with their respective agencies and with such other parties and in such manner as may be authorized by their respective agencies, (2) shall keep the respective Chiefs of United States Diplomatic Missions and each other fully and currently informed on all matters, including prospective plans, recommendations, and actions, relating to programs under the Act, and (3) shall furnish to the respective Chiefs of United States Diplomatic Missions, upon their request, documents and information concerning the said programs.

SEC. 4. Further coordination procedures. The Director for Mutual Security shall be responsible for assuring the carrying out of the provisions of this order. He is authorized to prescribe, after consultation with the interested Government agencies, any additional procedures he may find necessary to carry out the provisions of this order.

SEC. 5. Prior orders. (a) To the extent that provisions of any prior order are inconsistent with the provisions of this order, the latter shall control, and any such prior provisions are amended accordingly. All orders, regulations, rulings, certificates, directives, and other actions relating to any function affected by this order shall remain in effect except as they are inconsistent herewith or are hereafter amended or revoked under proper authority.

(b) Nothing in this order shall affect Executive Orders Nos. 10062, 10063, and 10144 of June 6, 1949, June 13, 1949, and July 21, 1950, respectively [set out as notes under section 901 of this title].

(c) Executive Orders Nos. 9857, 9862, 9864, 9914, 9944, 9960, 10208, and 10259 of May 22, 1947, May 31, 1947, December 26, 1947, April 9, 1948, May 19, 1948, January 25, 1951, and June 27, 1951, respectively, are hereby revoked.

§ 1659. Other laws as unaffected.

Nothing in this chapter shall be construed to modify the provisions of section 1557j of this title or the provisions of the Institute of Inter-American Affairs Act. (Oct. 10, 1951, ch. 479, title V, § 508, 65 Stat. 380.)

REFERENCES IN TEXT

The Institute of Inter-American Affairs Act, referred to in the text, is classified to sections 281—281b and 281c—281l of this title.

§ 1660. Detail of personnel to foreign governments and international organizations.

Whenever the President determines it to be consistent with and in furtherance of the purpose of this chapter, the head of any Government agency is authorized to—

(a) detail or assign any officer or employee of his agency to any office or position to which no compensation is attached with any foreign government or foreign government agency: *Provided*, That such acceptance of office shall in no case involve the taking of an oath of allegiance to another government; and

(b) detail, assign, or otherwise make available to any international organization in which the United States participates, any officer or employee of his agency to serve with or as a member of the international staff of such organizations.

Any such officer or employee, while so assigned or detailed, shall be considered, for the purpose of preserving his privileges, rights, seniority, or other benefits as such, an officer or employee of the Government of the United States and of the Government agency from which assigned or detailed, and he shall continue to receive compensation, allowances, and benefits from funds made available to that agency out

of funds authorized under this chapter. (Oct. 10, 1951, ch. 479, title V, § 509, 65 Stat. 380.)

§ 1661. Loyalty and security investigation of employees.

No citizen or resident of the United States may be employed, or if already employed, may be assigned to duties by the Director or the Secretary of State under this chapter or the Act for International Development for a period to exceed three months unless (a) such individual has been investigated as to loyalty and security by the Civil Service Commission and a report thereon has been made to the Director or the Secretary of State, as the case may be, and until the Director or the Secretary of State has certified in writing (and filed copies thereof with the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs) that, after full consideration of such report, he believes such individual is loyal to the United States, its Constitution, and form of government, and is not now and has never been a member of any organization advocating contrary views; or (b) such individual has been investigated by a military intelligence agency and the Secretary of Defense has certified in writing that he believes such individual is loyal to the United States and filed copies thereof with the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs. This section shall not apply in the case of any officer appointed by the President by and with the advice and consent of the Senate, nor shall it apply in the case of any person already employed under programs covered by this chapter who has been previously investigated in connection with such employment. (Oct. 10, 1951, ch. 479, title V, § 510, 65 Stat. 381; Apr. 5, 1952, ch. 159, § 1, 66 Stat. 43.)

REFERENCES IN TEXT

The Act for International Development, referred to in the text, is classified to subchapter VI of chapter 19 of this title.

AMENDMENTS

1952—Act Apr. 5, 1952, amended section by substituting the "Civil Service Commission" for the "Federal Bureau of Investigation."

TIME LIMIT FOR TRANSFER OF LOYALTY INVESTIGATIVE FUNCTIONS TO CIVIL SERVICE COMMISSION

Time limit for transfer of loyalty investigative functions from the Federal Bureau of Investigation to the Civil Service Commission as 180 days from Apr. 5, 1952, see note set out under section 1810 of Title 42, The Public Health and Welfare.

AVAILABILITY OF APPROPRIATIONS FOR TRANSFER OF INVESTIGATIVE FUNCTIONS

Appropriations of departments and agencies, on whose account investigations are made, available for transfer to the Civil Service Commission or the Federal Bureau of Investigation, see note set out under section 1810 of Title 42, The Public Health and Welfare.

§ 1662. Eligibility of nations for assistance; cooperative action requirements.

(a) No military, economic, or technical assistance authorized pursuant to this chapter (other than assistance provided under the first and second paragraphs of section 1580 of this title) shall be supplied to any nation in order to further military effort unless the President finds that the supplying of such

assistance will strengthen the security of the United States and unless the recipient country has agreed to—

(1) join in promoting international understanding and good will, and maintaining world peace;

(2) take such action as may be mutually agreed upon to eliminate causes of international tension;

(3) fulfill the military obligations which it has assumed under multilateral or bilateral agreements or treaties to which the United States is a party;

(4) make, consistent with its political and economic stability, the full contribution permitted by its manpower, resources, facilities, and general economic condition to the development and maintenance of its own defensive strength and the defensive strength of the free world;

(5) take all reasonable measures which may be needed to develop its defense capacities; and

(6) take appropriate steps to insure the effective utilization of the economic and military assistance provided by the United States.

(b) No economic or technical assistance shall be supplied to any other nation unless the President finds that the supplying of such assistance will strengthen the security of the United States and promote world peace, and unless the recipient country has agreed to join in promoting international understanding and good will, and in maintaining world peace, and to take such action as may be mutually agreed upon to eliminate causes of international tension.

(c) (1) The Congress of the United States finds that mutual security can be realized only to the extent that the countries who receive our aid do their utmost to help themselves and cooperate among themselves and with the United States to the fullest extent in achieving the objectives of the free world. In providing assistance under this chapter, the Congress of the United States affirms the desire of the United States to continue to use its leadership and resources for the purpose of uniting the efforts of recipient countries to the end that positive accomplishments toward mutual security may be realized with a maximum of efficiency and a minimum of delay and cost.

(2) In addition to the provisions of subsections (a) and (b) of this section, the Director, in administering this chapter, shall insure that, where necessary to the mutual security effort, no country shall receive any assistance hereunder unless it take decisive action to marshal its resources collectively, or individually where more suitable, with integration and unification plans in the appropriate area, and participate in programs which promote collective security in that area. The Director shall insure that, where suitable or necessary to the success of the mutual security effort, countries take adequate steps to mobilize their industries for mutual defense and gear their fiscal, budgetary, capital, political and military resources to the objectives of this chapter and take appropriate other steps toward self-help and mutual cooperation.

(3) Assistance shall be given on a country-by-country basis to a degree and at a rate commensu-

rate with the rate of progress made in the attainment of the objectives of this chapter. (Oct. 10, 1951, ch. 479, title V, § 511, 65 Stat. 381; June 20, 1952, ch. 449, § 7 (h), 66 Stat. 145.)

AMENDMENTS

1952—Subsec. (c) added by act June 20, 1952.

EFFECTIVE DATE

Section as effective ninety days after October 10, 1951, see note under section 1651 of this title.

§ 1663. Future appropriation authorizations.

In order to carry out the purpose of this chapter, with respect to those countries eligible to receive assistance as provided herein, funds shall be available as authorized and appropriated to the President each fiscal year. (Oct. 10, 1951, ch. 479, title V, § 512, 65 Stat. 382.)

§ 1664. Transferability of appropriations under this chapter; special use of funds.

(a) Whenever the President determines it to be necessary for the purpose of this chapter, not to exceed 10 per centum of the funds made available under any subchapter of this chapter may be transferred to and consolidated with funds made available under any other subchapter of this chapter in order to furnish, to a different area, assistance of the kind for which such funds were available before transfer. Whenever the President makes any such determination, he shall forthwith notify the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives. In the case of the transfer of funds available for military purposes, he shall also forthwith notify the Committees on Armed Services of the Senate and House of Representatives.

(b) Not more than \$100,000,000 of the funds made available under the Mutual Security Act of 1952, of which not more than \$20,000,000 may be allocated to any one country, may be used or supplied without regard to any conditions as to eligibility contained in this chapter, or any other Act for which funds are authorized by this chapter, when the President determines that such use is important to the security of the United States. The President shall notify the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives upon making any such determination. (Oct. 10, 1951, ch. 479, title V, § 513, 65 Stat. 382; June 20, 1952, ch. 449, § 7 (i), 66 Stat. 145.)

REFERENCES IN TEXT

The Mutual Security Act of 1952, referred to in the text, amended this chapter generally. For distribution, see Tables Volume.

AMENDMENTS

1952—Act June 20, 1952, amended section by making entire former section subsec. (a) and by adding subsec. (b).

§ 1665. Procurement of stimulation of production of strategic materials.

In order to reduce the drain on United States resources and to assure the production of adequate supplies of essential raw materials for the collective defense of the free world, the Director for Mutual Security is authorized to initiate projects for, and

assist in procuring and stimulating increased production of, materials in which deficiencies or potential deficiencies in supply exist among nations receiving United States assistance. (Oct. 10, 1951, ch. 479, title V, § 514, 65 Stat. 382; June 20, 1952, ch. 449, § 7 (j), 66 Stat. 146.)

AMENDMENTS

1952—Act June 20, 1952, amended section generally to provide for the collection of strategic materials.

CROSS REFERENCES

Acquisition of local currencies for purpose of increasing production of materials in which United States is deficient, see section 1670 of this title.

§ 1666. Protection of funds against attachment.

All countries participating in any United States aid program or in any international organization receiving United States aid shall be required to so deposit, segregate, or assure title to all funds allocated to or derived from any program so that the same shall not be subject to garnishment, attachment, seizure, or other legal process by any person, firm, agency, corporation, organization, or government when in the opinion of the Director any such action would interfere with the attainment of the objectives of this chapter. (Oct. 10, 1951, ch. 479, title V, § 515, 65 Stat. 382.)

§ 1667. Encouragement of free enterprise; cooperation by agencies and departments; reports.

(a) It is declared to be the policy of the Congress that this chapter shall be administered in such a way as (1) to eliminate the barriers to, and provide the incentives for, a steadily increased participation of free private enterprise in developing the resources of foreign countries consistent with the policies of this chapter, (2) to the extent that it is feasible and does not interfere with the achievement of the purposes set forth in this chapter, to discourage the cartel and monopolistic business practices prevailing in certain countries receiving aid under this chapter which result in restricting production and increasing prices, and to encourage where suitable competition and productivity, and (3) to encourage where suitable the development and strengthening of the free labor union movements as the collective bargaining agencies of labor within such countries.

(b) To accomplish the purpose of clause (1) of subsection (a) of this section, under the coordination of the Director for Mutual Security, the Mutual Security Agency, cooperating with private business groups and governmental agencies to the fullest extent possible, shall encourage a greater participation by private capital in the guaranty program and shall develop broad criteria to facilitate such participation, including programs consistent with the purposes of the Act for International Development.

(c) The Department of Commerce shall, in cooperation with such groups and agencies (including the International Bank for Reconstruction and Development), conduct a thorough study of the legal and other impediments, foreign and local, to private investment abroad, and the methods and means whereby those impediments can be removed or de-

creased and shall make recommendations thereon to the Director for Mutual Security.

(d) The Department of State, in cooperation with other agencies of the Government concerned with private investment abroad, and taking into account the study and recommendations described in subsection (c) of this section, shall accelerate a program of negotiating treaties of commerce and trade, or other temporary arrangements where more suitable or expeditious, which shall include provisions to encourage and facilitate the flow of private investment to countries participating in programs under this chapter.

(e) The Technical Cooperation Administration, taking into account the study and recommendations described in subsection (c) of this section, shall encourage and facilitate a greater participation by private industrial groups or agencies in private contracts awarded by the Administration, and shall, in cooperation with the Department of Commerce and the Mutual Security Agency, find and draw the attention of private enterprise to opportunities for investment and development in underdeveloped areas.

(f) The reports required by section 1669 of this title shall include detailed information on the implementation of this section. (Oct. 10, 1951, ch. 479, title V, § 516, 65 Stat. 382; June 20, 1952, ch. 449, § 7 (k), 66 Stat. 146.)

REFERENCES IN TEXT

The Act for International Development, referred to in the text of subsection (b), is classified to subchapter VI of chapter 19 of this title.

AMENDMENTS

1952—Act June 20, 1952, amended section by making the entire former section subsec. (a) and by adding subsecs. (b)—(f).

§ 1668. Patents and technical information—(a) Definitions.

As used in this section—

(1) the term "invention" means an invention or discovery covered by a patent issued by the United States, and

(2) the term "information" means information originated by or peculiarly within the knowledge of the owner thereof and those in privity with him, which is not available to the public and is subject to protection as property under recognized legal principles.

(b) Legal remedy for unauthorized use or disclosure; jurisdiction.

Whenever, in connection with the furnishing of any assistance in furtherance of the purpose of this chapter—

(1) use within the United States, without authorization by the owner, shall be made of an invention, or

(2) damage to the owner shall result from the disclosure of information by reason of acts of the United States or its officers or employees, the exclusive remedy of the owner of such invention or information shall be by suit against the United States in the Court of Claims or in the District Court of the United States for the district in

which such owner is a resident for reasonable and entire compensation for unauthorized use or disclosure. In any such suit the United States may avail itself of any and all defenses, general or special, that might be pleaded by any defendant in a like action.

(c) Settlement and compromise of claims.

Before such suit against the United States has been instituted, the head of the appropriate department or agency of the Government, which has furnished any assistance in furtherance of the purpose of this chapter, is authorized and empowered to enter into an agreement with the claimant, in full settlement and compromise of any claim against the United States hereunder.

(d) Applicability of section 1498 of Title 28.

The provisions of the last sentence of section 1498 of Title 28 shall apply to inventions and information covered by this section.

(e) Limitation period on actions; computation.

Except as otherwise provided by law, no recovery shall be had for any infringement of a patent committed more than six years prior to the filing of the complaint or counterclaim for infringement in the action, except that the period between the date of receipt by the Government of a written claim under subsection (c) of this section for compensation for infringement of a patent and the date of mailing by the Government of a notice to the claimant that his claim has been denied shall not be counted as part of the six years, unless suit is brought before the last-mentioned date. (Oct. 10, 1951, ch. 479, title V, § 517, 65 Stat. 382.)

§ 1669. Reports to Congress.

The President, from time to time while funds appropriated for the purpose of this chapter continue to be available for obligation, shall transmit to the Congress, in lieu of any reports otherwise required by laws continued in effect by this chapter, reports covering each six months of operations in furtherance of the purpose of this chapter, except information the disclosure of which he deems incompatible with the security of the United States. The first such report shall cover the six-month period commencing on the date this chapter becomes effective. Reports provided for under this section shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, if the Senate or the House of Representatives, as the case may be, is not in session. (Oct. 10, 1951, ch. 479, title V, § 518, 65 Stat. 383.)

EFFECTIVE DATE OF CHAPTER

For "date this chapter becomes effective", referred to in the text, see note under section 1651 of this title.

CROSS REFERENCES

Director for Mutual Security to have primary responsibility for preparation of the report required by this section, see section 1652 of this title.

§ 1670. Local currencies—(a) Advancements to countries covered by sections 1693 and 1702.

Upon a determination by the Director that it will further the purpose of this chapter, not to exceed

\$10,000,000 of the funds made available pursuant to section 1693 of this title and not to exceed \$25,000,000 of funds made available pursuant to section 1702 of this title may be advanced out of funds made available for assistance under section 1654 of this title to countries covered by said sections in return for equivalent amounts of the currency of such countries being made available to meet local currency needs of the aid programs in such countries pursuant to agreements made in advance with the United States: *Provided*, That except when otherwise prescribed by the Director as necessary to the effective accomplishment of the aid programs in such countries, all funds so advanced shall be held under procedures set out in such agreements until used to pay for goods and services approved by the United States or until repaid to the United States for reimbursement to the appropriation from which drawn.

(b) Acquisition for purpose of increasing production of deficient materials.

In order to assist in carrying out the provisions of the Economic Cooperation Act of 1948, as amended, not to exceed \$50,000,000 of funds made available under the authority of this chapter for assistance pursuant to the provisions of the Economic Cooperation Act of 1948, as amended, may be used to acquire local currency for the purpose of increasing the production of materials in which the United States is deficient. (Oct. 10, 1951, ch. 479, title V, § 519, 65 Stat. 383; June 20, 1952, ch. 449, § 7 (I), 66 Stat. 146.)

REFERENCES IN TEXT

The Economic Cooperation Act of 1948, as amended, referred to in subsec. (b), is classified to subchapter I of chapter 19 of this title.

AMENDMENTS

1952—Subsec. (a) amended by act June 20, 1952, which inserted "out of funds made available for assistance under § 1654 of this title".

CROSS REFERENCES

Funds for increased production of deficient materials, see section 1665 of this title.

§ 1671. Use of certain funds for investment guaranties.

Funds realized from the sales of notes pursuant to section 1509 (c) (2) of this title, shall be available for making guaranties of investments in accordance with the applicable provisions of sections 1509 (b) (3) and 1509 (c) (2) of this title in any area in which assistance is authorized by this chapter. (Oct. 10, 1951, ch. 479, title V, § 520, 65 Stat. 384.)

§ 1672. Use of funds for acquisition of collective defense facilities, and administrative expenses.

Funds made available for carrying out the provisions of subchapter II of this chapter shall be available for United States participation in the acquisition or construction of facilities in foreign countries for collective defense: *Provided*, That no part of such funds shall be expended for rental or purchase of land or for payment of taxes. Such funds shall also be available for the administrative expenses of carrying out the purposes of this chapter, including expenses incident to United States participation in

international security organizations and expenses in the United States in connection with programs authorized under the Act for International Development. Any currency of any nation received by the United States for its own use in connection with assistance furnished by the United States may be used by any agency of the Government without reimbursement from any appropriation for the administrative and operating expenses of carrying out the purpose of this chapter. Funds made available for carrying out the purpose of this chapter in the Federal Republic of Germany may, as authorized in section 1512 (h) of this title, be transferred by the President to any department or agency for the expenses necessary to meet the responsibilities and obligations of the United States in the Federal Republic of Germany. (Oct. 10, 1951, ch. 479, title V, § 521, 65 Stat. 384.)

REFERENCES IN TEXT

The Act for International Development, referred to in the text, is classified to subchapter VI of chapter 19 of this title.

§ 1673. Return of equipment and material to United States; disposition.

The President shall make appropriate arrangements with each nation receiving equipment or material under the Mutual Defense Assistance Act of 1949, as amended (other than equipment or material furnished under terms requiring the nation to reimburse the United States in full therefor), for the return to the United States (1) for salvage or scrap, or (2) for such other disposition as the President shall deem to be in the interest of mutual security, of any of such equipment or material as is no longer required for the purposes for which originally made available. (Oct. 10, 1951, ch. 479, title V, § 524, 65 Stat. 385.)

REFERENCES IN TEXT

The Mutual Defense Assistance Act of 1949, as amended, referred to in the text, is classified to chapter 20 of this title.

§ 1674. Termination of assistance by President.

If the President determines that the furnishing of assistance to any nation—

(a) is no longer consistent with the national interest or security of the United States or the policies and purpose of this chapter; or

(b) would contravene a decision of the Security Council of the United Nations; or

(c) would be inconsistent with the principle that members of the United Nations should refrain from giving assistance to any nation against which the Security Council or the General Assembly has recommended measures, in case of a threat to, or breach of, the peace, or act of aggression,

he shall terminate all or part of any assistance furnished pursuant to this chapter. The function conferred herein shall be in addition to all other functions heretofore conferred with respect to the termination of military, economic, or technical assistance. (Oct. 10, 1951, ch. 479, title V, § 529, 65 Stat. 386.)

§ 1675. Expiration of program.

(a) After June 30, 1954, or after the date of the passage of a concurrent resolution by the two Houses of Congress before such date, none of the authority conferred by this chapter or by the Mutual Defense Assistance Act of 1949, as amended may be exercised; except that during the twelve months following such date equipment, materials, commodities, and services with respect to which procurement for, shipment to, or delivery in a recipient country had been authorized prior to such date, may be transferred to such country, and funds appropriated under authority of this chapter may be obligated during such twelve-month period for the necessary expenses of procurement, shipment, delivery, and other activities essential to such transfer and shall remain available during such period for the necessary expenses of liquidating operations under this chapter.

(b) At such time as the President shall find appropriate after such date, and prior to the expiration of the twelve months following such date, the powers, duties, and authority conferred by this chapter and by the Mutual Defense Assistance Act of 1949, as amended, may be transferred for the purpose of liquidation to such other departments, agencies, or establishments of the Government as the President shall specify, and the relevant funds, records, property and personnel may be transferred to the departments, agencies, or establishments to which the related functions are transferred. (Oct. 10, 1951, ch. 479, title V, § 530, 65 Stat. 386.)

REFERENCES IN TEXT

The Mutual Defense Assistance Act of 1949, as amended, referred to in subsecs. (a) and (b), is classified to chapter 20 of this title.

§ 1675a. Exemption from contract, accounting, and certain other laws.

The provisions of section 1517 of this title, which concern exemption from contract and accounting laws, shall apply to the performance of functions authorized by this chapter. (Oct. 10, 1951, ch. 479, title V, § 532, as added June 20, 1952, ch. 449, § 7 (m), 66 Stat. 146.)

EX. ORD. NO. 10387. LAWS FROM WHICH FUNCTIONS ARE EXEMPTED

Ex. Ord. No. 10387, Aug. 25, 1952, 17 F. R. 7799, provided:

By virtue of the authority vested in me by section 532 of the Mutual Security Act of 1951, as added by section 7 (m) of the Mutual Security Act of 1952 (Public Law 400, approved June 20, 1952, 66 Stat. 146) [this section], it is hereby determined that, to the extent hereinafter indicated, the performance of functions authorized by the said Mutual Security Act of 1951, as amended [section 1509 et seq. of this title] (including the performance of functions authorized by the Act for International Development, as amended [sections 1557—1557o of this title], the Institute of Inter-American Affairs Act, as amended [section 281 of this title], and the Mutual Defense Assistance Act of 1949, as amended) [sections 1571—1604 of this title], without regard to the laws specified in the lettered subdivisions of sections 1, 2, and 3 of this order will further the purposes of the said Mutual Security Act of 1951, as amended [section 1509 et seq. of this title].

SECTION 1. With respect to functions authorized by section 503 (b) of the Mutual Security Act of 1951, as amended (22 U. S. C. 1654 (b)), the Act for International Development, as amended (22 U. S. C. 1557 et seq.), and

the Institute of Inter-American Affairs Act, as amended (22 U. S. C. 281 et seq.):

(a) The act of March 26, 1934, ch. 90, 48 Stat. 500, as amended (15 U. S. C. 616a).

(b) Section 3648 of the Revised Statutes, as amended, 60 Stat. 809 (31 U. S. C. 529).

(c) Section 305 of the act of June 30, 1949 (the Federal Property and Administrative Services Act of 1949), ch. 288, 63 Stat. 396 (41 U. S. C. 255).

(d) Section 3709 of the Revised Statutes, as amended (41 U. S. C. 5).

(e) Section 3710 of the Revised Statutes (41 U. S. C. 8).

(f) Section 2 of the act of March 3, 1933, ch. 212, 47 Stat. 1520 (41 U. S. C. 10a).

(g) Section 3735 of the Revised Statutes (41 U. S. C. 13).

(h) Section 901 of the act of June 29, 1936, ch. 858, 49 Stat. 2015 (46 U. S. C. 1241).

SEC. 2. With respect to purchases authorized to be made outside the continental limits of the United States under the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C. 1571 et seq.), sections 503 (b) and 506 of the Mutual Security Act of 1951, as amended [sections 1654 (b) and 1657 of this title], the Act for International Development, as amended [sections 1557—1557o of this title], and the Institute of Inter-American Affairs Act, as amended [section 281 et seq. of this title]:

(a) Section 10 (1) of the act of July 2, 1926, ch. 721, 44 Stat. 787, as amended (10 U. S. C. 310 (1)).

(b) Section 4 (c) of the act of February 19, 1948 (the Armed Services Procurement Act of 1947), ch. 65, 62 Stat. 23, as amended, 65 Stat. 700 (41 U. S. C. 153 (c)).

(c) Section 304 (c) of the act of June 30, 1949 (the Federal Property and Administrative Services Act of 1949), ch. 288, 63 Stat. 395, as amended, 65 Stat. 700 (41 U. S. C. 254 (c)).

(d) Section 1301 of the act of March 27, 1942 (the Second War Powers Act, 1942), ch. 199, 56 Stat. 185 (50 U. S. C. App. 643).

SEC. 3. With respect to functions performed in Burma and Indonesia under the Act for International Development, as amended [sections 1557—1557o of this title]:

(a) Section 5 (c) (2) of the act of July 16, 1914, ch. 141, 38 Stat. 508, as amended, 60 Stat. 810 (5 U. S. C. 78 (c) (2)).

This order supersedes Executive Order No. 9943 of April 9, 1948, 13 F. R. 1975 [set out as a note under section 1504 of this title], entitled "Providing for Carrying out the Foreign Assistance Act of 1948".

§ 1675b. Employment of retired officers.

(a) Notwithstanding section 62 of Title 5, which prohibits certain retired officers from holding certain office, any retired officer of any of the services mentioned in the Career Compensation Act of 1949 may hold any office or appointment under this chapter or the Mutual Defense Assistance Control Act of 1951, but the compensation of any such retired officer shall be subject to the provisions of section 59a of Title 5, which does not permit retired pay to be added to the compensation received as a civilian officer.

(b) Officers of the United States Public Health Service and officers of the Coast and Geodetic Survey, who are assigned for duty under this chapter outside the continental limits of the United States, may receive the allowances and benefits provided for officers in the Foreign Service Reserve or Staff by the Foreign Service Act of 1946, as amended, and may also receive salary differentials as provided in that Act computed on their basic pay under the Career Compensation Act of 1949, as amended; and, in addition to any quarters furnished them by the Government, such officers may receive, during the

period of their assignment for duty outside the continental limits of the United States, the allowance payable under section 252 (f) of Title 37. (Oct. 10, 1951, ch. 479, title V, § 533, as added June 20, 1952, ch. 449, § 7 (m), 66 Stat. 146.)

REFERENCES IN TEXT

The Career Compensation Act of 1949, referred to in the text of subsecs. (a) and (b), is classified to chapter 4 of Title 37, Pay and Allowances.

The Mutual Defense Assistance Control Act of 1951, referred to in the text of subsec. (a), is classified to chapter 20A of this title.

The Foreign Service Act of 1946, as amended, referred to in the text of subsec. (b), is classified to chapter 14 of this title.

§ 1675c. Movement of Migrants; appropriations.

In order to encourage further the movement of migrants from European countries having surplus population, there is hereby authorized to be appropriated to the President \$9,240,500 for use in making contributions for the calendar year 1953 to the Provisional Intergovernmental Committee for the Movement of Migrants from Europe established at Brussels, Belgium, on December 5, 1951. (Oct. 10, 1951, ch. 479, title V, § 534, as added June 20, 1952, ch. 449, § 7 (m), 66 Stat. 146.)

§ 1675d. Ocean freight charges on relief packages.

The authority to pay ocean freight charges on shipments of relief supplies and packages under section 1515 (c) of this title, shall be continued and may be exercised after June 30, 1952, by any department or agency of the Government that the President may designate: *Provided*, That this authority shall hereafter also be applicable to relief shipments by voluntary nonprofit relief agencies registered with and approved by the Advisory Committee on Voluntary Foreign Aid to any country eligible for economic or technical assistance under this chapter: *And provided further*, That not to exceed \$2,587,500 are authorized to be appropriated to the President for the fiscal year 1953 for use in paying ocean freight charges under section 1515 (c) of this title. (Oct. 10, 1951, ch. 479, title V, § 535, as added June 20, 1952, ch. 449, § 7 (m), 66 Stat. 146.)

§ 1675e. Informational media guaranties.

The authority to make informational media guaranties under section 1509 (b) (3) of this title, shall be fully continued and may be exercised after June 30, 1952, by any department or agency of the Government that the President may designate. (Oct. 10, 1951, ch. 479, title V, § 536, as added June 20, 1952, ch. 449, § 7 (m), 66 Stat. 146.)

§ 1675f. Limitation of propaganda funds.

None of the funds herein authorized to be appropriated nor any counterpart funds shall be used to pay for personal services or printing, or for other expenses of the dissemination within the United States of general propaganda in support of the mutual security program, or to pay the travel or other expenses outside the United States of any citizen or group of citizens of the United States for the purpose of publicizing such program within the

United States. (Oct. 10, 1951, ch. 479, title V, § 537, as added June 20, 1952, ch. 449, § 7 (m), 66 Stat. 146.)

§ 1675g. Small businesses—(a) Participation in the furnishing of commodities and services.

Insofar as practicable and to the maximum extent consistent with the accomplishment of the purposes of this chapter, the Director for Mutual Security shall assist American small business to participate equitably in the furnishing of commodities and services financed with funds authorized under this chapter (other than funds authorized to carry out the provisions of the Mutual Defense Assistance Act of 1949, as amended) by making available or causing to be made available to suppliers in the United States and particularly to small independent enterprises, information, as far in advance as possible, with respect to purchases proposed to be financed with funds authorized under this chapter (other than funds authorized to carry out the provisions of the Mutual Defense Assistance Act of 1949, as amended), by making available or causing to be made available to prospective purchasers in the countries receiving assistance under this chapter information as to commodities and services produced by small independent enterprises in the United States, and by offering additional services to give small business better opportunities to participate in the furnishing of commodities and services financed with such funds.

(b) Office of Small Business; chief officer; reports; information.

There shall be continued in the Mutual Security Agency the Office of Small Business headed by the Special Assistant for Small Business to carry out the provisions of subsections (a) and (b) of this section. Each report transmitted to the Congress under section 1669 of this title shall include a report of all activities under this section. The Technical Cooperation Administration shall adopt the procedure of notifying American business, particularly small independent enterprises, of procurement and other information as far in advance as possible through the facilities of the Office of Small Business of the Mutual Security Agency. The Secretary of Defense shall assure that there is made available to suppliers in the United States, and particularly to small independent enterprises, information with respect to purchases made by the Department of Defense pursuant to the provisions of the Mutual Defense Assistance Act of 1949, as amended, such information to be furnished as far in advance as possible. (Oct. 10, 1951, ch. 479, title V, § 538 (a, b), as added June 20, 1952, ch. 449, § 7 (m), 66 Stat. 146.)

REFERENCES IN TEXT

The Mutual Defense Assistance Act of 1949, as amended, referred to in the text of section, is classified to chapter 20A of this title.

§ 1675h. Limitation on use of counterpart funds.

Except as otherwise specifically authorized by law, all counterpart funds of local currencies created by section 1513 (b) (6) of this title, and by Acts supplementary or amendatory thereto shall be expended

only on programs to carry out the purposes for which new funds authorized by this chapter would themselves be available. (Oct. 10, 1951, ch. 479, title V, § 539; as added June 20, 1952, ch. 449, § 7 (m), 66 Stat. 146.)

SUBCHAPTER II.—EUROPE; APPROPRIATIONS

§ 1681. Authorizations—(a) Amount; countries included.

In order to support the freedom of Europe through assistance which will further the carrying out of the plans for defense of the North Atlantic area, while at the same time maintaining the economic stability of the countries of the area so that they may meet their responsibilities for defense, and to further encourage the economic unification and the political federation of Europe, there are authorized to be appropriated to the President for the fiscal year 1952 for carrying out the provisions and accomplishing the policies and purpose of this chapter—

(1) Not to exceed \$5,028,000,000 for assistance pursuant to the provisions of the Mutual Defense Assistance Act of 1949, as amended, for countries which are parties to the North Atlantic Treaty, for Spain, and for any country of Europe (other than a country covered by subchapters III—VI of this chapter), which the President determines to be of direct importance to the defense of the North Atlantic area and whose increased ability to defend itself the President determines is important to the preservation of the peace and security of the North Atlantic area and to the security of the United States (any such determination to be reported forthwith to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Armed Services of the Senate and of the House of Representatives), and not to exceed \$100,000,000 of such appropriation for any selected persons who are residing in or escapees from the Soviet Union, Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Albania, Lithuania, Latvia, and Estonia, or the Communist dominated or Communist occupied areas of Germany and Austria, and any other countries absorbed by the Soviet Union either to form such persons into elements of the military forces supporting the North Atlantic Treaty Organization or for other purposes, when it is similarly determined by the President that such assistance will contribute to the defense of the North Atlantic area and to the security of the United States. In addition, unexpended balances of appropriations heretofore made for carrying out the purposes of the Mutual Defense Assistance Act of 1949, as amended, through assistance to any of the countries covered by this paragraph are authorized to be continued available through June 30, 1952, and to be consolidated with the appropriation authorized by this paragraph. There is authorized to be appropriated to the President for the fiscal year 1953 not to exceed \$3,415,614,750, for assistance pursuant to the provisions of the Mutual Defense Assistance Act of 1949, as amended to countries eligible for assistance under this paragraph; and in addition unexpended balances of any appro-

priations heretofore made pursuant to this paragraph are authorized to be continued available for their original purposes through June 30, 1953, and to be consolidated with the appropriation authorized.

(2) There is authorized to be appropriated to the President for the fiscal year 1953 not to exceed \$1,282,433,000 to provide assistance to any country covered by paragraph (1) of this subsection and to any other country covered by section 1654 of this title in accordance with the provisions of such section; and in addition unexpended balances of appropriations heretofore made pursuant to this paragraph are authorized to be continued available for their original purposes through June 30, 1953, and to be consolidated with the appropriation hereby authorized.

(b) Transfers between appropriations; notice to Congressional committees.

Not to exceed 10 per centum of the total of the appropriations granted pursuant to this section may be transferred, when determined by the President to be necessary for the purpose of this chapter, between appropriations granted pursuant to either paragraph of subsection (a) of this section: *Provided*, That the amount herein authorized to be transferred shall be determined without reference to any balances of prior appropriations continued available pursuant to this section: *Provided further*, That, whenever the President makes any such determination, he shall forthwith notify the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Armed Services of the Senate and of the House of Representatives.

(c) Aid to Spain.

Not less than \$25,000,000 of the funds made available under authority of subsections (a) and (b) of this section shall be used for economic, technical, and military assistance to Spain in accordance with the provisions of this chapter. Unexpended balances of appropriations made available for assistance to Spain pursuant to this section by the Act of October 31, 1951 (Public Law 249, Eighty-second Congress), are authorized to be continued available until June 30, 1953. (Oct. 10, 1951, ch. 479, title I, § 101, 65 Stat. 373; June 20, 1952, ch. 449, § 3, 66 Stat. 141.)

REFERENCES IN TEXT

The Mutual Defense Assistance Act of 1949, as amended, referred to in subsec. (a), is classified to chapter 20 of this title.

The act of October 31, 1951 (Public Law 249, Eighty-second Congress), referred to in the text, is the Mutual Security Appropriations Act, 1952, act Oct. 31, 1951, ch. 656, 65 Stat. 730, which was not classified to the Code.

CODIFICATION

Section comprises all of section 101 of act Oct. 10, 1951, except last sentence of subsec. (a) (1) thereof. That sentence repealed section 1579 (c) of this title.

AMENDMENTS

1952—Subsec. (a) (1) amended by act June 20, 1952, § 3 (a), (b), which inserted “, for Spain,” following “parties to the North Atlantic Treaty”, and adds last sentence beginning “There is authorized to be appropriated”.

Subsec. (a) (2) amended by act June 20, 1952, § 3 (c), to authorize the appropriation of \$1,282,433,000, for fiscal year 1953.

Subsec. (c) was added by act June 20, 1952, § 3 (d).

PRIOR AUTHORIZATIONS

European countries, prior authorizations of appropriations for assistance under the Economic Cooperation Act of 1948, and under the Mutual Defense Assistance Act of 1949, see sections 1512 and 1592 of this title.

SUBSEQUENT AUTHORIZATIONS

Funds to be available as authorized and appropriated to President each fiscal year for purposes of this chapter with respect to eligible countries, see section 1663 of this title.

TRANSFERABILITY OF APPROPRIATIONS

Transferability of appropriations under this chapter, see section 1664 of this title.

COLLECTIVE DEFENSE FACILITIES, AND ADMINISTRATIVE EXPENSES

Use of funds authorized by this subchapter for acquisition or construction of collective defense facilities, and for administrative expenses under this chapter, see section 1672 of this title.

LOCAL CURRENCIES

Advancements for local currencies, or acquisition thereof for certain purposes, see section 1670 of this title.

CROSS REFERENCES

Protection of funds against attachment, see section 1666 of this title.

United Nations technical assistance for fiscal year ending June 30, 1953, contributions from funds made available under subsec. (a) (2) of this section and sections 1693, 1702, and 1712, of this title not to exceed in aggregate \$15,708,750, and use not to be limited to area covered by sections from which funds are drawn, see section 1557b (b) of this title.

SUBCHAPTER III.—NEAR EAST AND AFRICA; APPROPRIATIONS

§ 1691. Military assistance to Greece, Turkey and Iran; authorization of amount.

In order to further the purpose of this chapter by continuing to provide military assistance to Greece, Turkey, and Iran, there are authorized to be appropriated to the President for the fiscal year 1952, not to exceed \$396,250,000 for furnishing assistance to Greece and Turkey pursuant to the provisions of chapter 16 of this title, and for furnishing assistance to Iran pursuant to the provisions of the Mutual Defense Assistance Act of 1949, as amended. In addition, unexpended balances of appropriations heretofore made for assistance to Greece and Turkey, available for the fiscal year 1951, pursuant to chapter 16 of this title, and for assistance to Iran pursuant to the Mutual Defense Assistance Act of 1949, as amended, are authorized to be continued available through June 30, 1952, and to be consolidated with the appropriation authorized by this section. There is authorized to be appropriated to the President for the fiscal year 1953 not to exceed \$560,316,500, to carry out the purposes and provisions of this section; and in addition unexpended balances of any appropriations heretofore made pursuant to this section are authorized to be continued available for their original purposes through June 30, 1953, and to be consolidated with the appropriation authorized. (Oct. 10, 1951, ch. 479, title II, § 201, 65 Stat. 374; June 20, 1952, ch. 449, § 4 (a), 66 Stat. 142.)

REFERENCES IN TEXT

The Mutual Defense Assistance Act of 1949, as amended, referred to in the text, is classified to chapter 20 of this title.

AMENDMENTS

1952—Act June 20, 1952, added the last sentence beginning "There is authorized to be appropriated".

PRIOR AUTHORIZATIONS

Greece, Turkey and Iran, prior authorizations of appropriations for assistance under chapter 16 of this title, and under the Mutual Defense Assistance Act of 1949, see sections 1404, 1409 and 1601 of this title.

SUBSEQUENT AUTHORIZATIONS

Funds to be available as authorized and appropriated to President each fiscal year for purposes of this chapter with respect to eligible countries, see section 1663 of this title.

TRANSFERABILITY OF APPROPRIATIONS

Transferability of appropriations under this chapter, see section 1664 of this title.

CROSS REFERENCES

Assistance to other countries in Near East, maximum amount which may be utilized from funds authorized under this section, see section 1692 of this title.

Protection of funds against attachment, see section 1666 of this title.

§ 1692. Other countries in Near East; amount available.

Whenever the President determines that such action is essential for the purpose of this chapter, he may provide assistance, pursuant to the provisions of the Mutual Defense Assistance Act of 1949, as amended, to any country of the Near East area (other than those covered by section 1691 of this title) and may utilize not to exceed 10 per centum of the amount made available (excluding balances of prior appropriations continued available) pursuant to section 1691 of this title: *Provided*, That any such assistance may be furnished only upon determination by the President that (1) the strategic location of the recipient country makes it of direct importance to the defense of the Near East area, (2) such assistance is of critical importance to the defense of the free nations, and (3) the immediately increased ability of the recipient country to defend itself is important to the preservation of the peace and security of the area and to the security of the United States. (Oct. 10, 1951, ch. 479, title II, § 202, 65 Stat. 375.)

REFERENCES IN TEXT

The Mutual Defense Assistance Act of 1949, as amended, is classified to chapter 20 of this title.

§ 1693. Economic and technical assistance; authorization of amount.

In order to further the purpose of this chapter in Africa and the Near East there is authorized to be appropriated to the President for the fiscal year 1953 not to exceed \$50,822,750 to carry out the purposes and provisions of this section; and in addition unexpended balances of any appropriations heretofore made pursuant to this section are authorized to be continued available for their original purposes through June 30, 1953, and to be consolidated with the appropriation authorized. Funds appropriated pursuant to this section shall be available under the

applicable provisions of section 1654 of this title and the Act for International Development. (Oct. 10, 1951, ch. 479, title II, § 203, 65 Stat. 375; June 20, 1952, ch. 449, § 4 (b), 66 Stat. 142.)

REFERENCES IN TEXT

The Act for International Development, referred to in the text, is classified to subchapter VI of chapter 19 of this title.

AMENDMENTS

1952—Act June 20, 1952, amended section to authorize the appropriation of \$50,822,750 for fiscal year 1953.

SUBSEQUENT AUTHORIZATIONS

Funds to be available as authorized and appropriated to President each fiscal year for purposes of this chapter with respect to eligible countries, see section 1663 of this title.

TRANSFERABILITY OF APPROPRIATIONS

Transferability of appropriations under this chapter, see section 1664 of this title.

LOCAL CURRENCIES

Advancements for local currencies, or acquisition thereof for certain purposes, see section 1670 of this title.

CROSS REFERENCES

Protection of funds against attachment, see section 1666 of this title.

United Nations technical assistance for fiscal year ending June 30, 1953, contributions from funds made available under this section and sections 1681 (a) (2), 1702 and 1712 of this title not to exceed \$15,708,750, and use not to be limited to area covered by sections from which funds are drawn, see section 1557b (b) of this title.

Use of part of funds authorized by this section for aid to Palestine refugees, see sections 1694 and 1695 of this title.

§ 1694. Aid to Palestine refugees; amount available.

Not to exceed \$50,000,000 of the funds authorized under section 1693 of this title may be contributed to the United Nations during the fiscal year 1952, for the purposes, and under the provisions, of the United Nations Palestine Refugee Aid Act of 1950: *Provided*, That, whenever the President shall determine that it would more effectively contribute to the purposes of the said United Nations Palestine Refugee Aid Act of 1950, he may allocate any part of such funds to any agency of the United States Government to be utilized in furtherance of the purposes of said Act and any amount so allocated shall be a part of the United States contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and shall be so credited by said Agency. (Oct. 10, 1951, ch. 479, title II, § 204, 65 Stat. 375.)

REFERENCES IN TEXT

The United Nations Palestine Refugee Aid Act of 1950, referred to in the text, is classified to subchapter V of chapter 19 of this title.

"Said Act", referred to in the text, refers to the United Nations Palestine Refugee Act of 1950.

§ 1695. Same; refugees coming into Israel; amount available.

In order to assist in the relief of refugees coming into Israel, not to exceed \$50,000,000 of the funds authorized under section 1693 of this title may be utilized during the fiscal year 1952, under such terms and conditions as the President may prescribe, for specific refugee relief and resettlement projects in Israel. (Oct. 10, 1951, ch. 479, title II, § 205, 65 Stat. 375.)

§ 1696. Same; appropriations.

In addition to the amounts authorized by section 1693 of this title, there is authorized to be appropriated not to exceed \$60,063,250 for carrying out the purposes and provisions of section 1694 of this title, relating to Palestine refugees, during the fiscal year 1953; and not to exceed \$70,228,000 for carrying out the purposes and provisions of section 1695 of this title, relating to refugees in Israel, during the fiscal year 1953: *Provided*, That amounts appropriated pursuant to this section which the President finds cannot be effectively expended to carry out the purposes and provisions of sections 1694 and 1695 of this title may be transferred to and merged with the appropriations authorized by section 1693 of this title. (Oct. 10, 1951, ch. 479, title II, § 206, as added June 20, 1952, ch. 449, § 4 (c), 66 Stat. 142.)

SUBCHAPTER IV.—ASIA AND PACIFIC; APPROPRIATIONS

§ 1701. General area of China, and Republics of Philippines and Korea; authorization of amount for military assistance

In order to carry out in the general area of China (including the Republic of the Philippines and the Republic of Korea) the provisions of subsection (a) of section 1604 of this title, there are hereby authorized to be appropriated to the President for the fiscal year 1952, not to exceed \$535,250,000. In addition, unexpended balances of appropriations heretofore made for carrying out the provisions of sections 1602—1604 of this title, are authorized to be continued available through June 30, 1952, and to be consolidated with the appropriation authorized by this section. Not to exceed \$50,000,000 of funds appropriated pursuant to this section (excluding balances of appropriations continued available) may be accounted for as provided in subsection (a) of section 1604 of this title. There is authorized to be appropriated to the President for the fiscal year 1953 not to exceed \$564,807,500, to carry out the purposes and provisions of this section; and in addition unexpended balances of any appropriations heretofore made pursuant to this section are authorized to be continued available for their original purposes through June 30, 1953, and to be consolidated with the appropriation authorized. (Oct. 10, 1951, ch. 479, title III, § 301, 65 Stat. 375; June 20, 1952, ch. 449, § 5 (a), 66 Stat. 142.)

AMENDMENTS

1952—Act June 20, 1952, amended section by adding the last sentence appropriating \$564,807,500 for fiscal year 1953.

PRIOR AUTHORIZATIONS

General area of China, and Republics of Philippines and Korea, prior authorizations of appropriations for military assistance under Mutual Defense Assistance Act of 1949, see sections 1602—1604 of this title.

SUBSEQUENT AUTHORIZATIONS

Funds to be available as authorized and appropriated to President each fiscal year for purposes of this chapter with respect to eligible countries, see section 1663 of this title.

TRANSFERABILITY OF APPROPRIATIONS

Transferability of appropriations under this chapter, see section 1664 of this title.

CROSS REFERENCES

Protection of funds against attachment, see section 1666 of this title.

§ 1702. Same; with exception of Korea; authorization of amount for economic and technical assistance.

In order to further the purpose of this chapter through the strengthening of the area covered in section 1701 of this title (but not including the Republic of Korea), there are authorized to be appropriated to the President, for the fiscal year 1952, not to exceed \$237,500,000 for economic and technical assistance in those portions of such area which the President deems to be not under Communist control. Funds appropriated pursuant to authority of this section shall be available under the applicable provisions of section 1654 of this title and the applicable provisions of the Act for International Development. In addition, unexpended balances of funds heretofore made available for carrying out the purposes of the China Area Aid Act of 1950, are authorized to be continued available through June 30, 1952, and to be consolidated with the appropriation authorized by this section. There is authorized to be appropriated to the President for the fiscal year 1953 not to exceed \$202,778,250, to carry out the purposes and provisions of this subsection in accordance with the applicable provisions of section 1654 of this title and not to exceed \$118,634,250 to carry out the purposes and provisions of this subsection in accordance with the applicable provisions of the Act for International Development; and in addition unexpended balances of any appropriations heretofore made pursuant to this subsection are hereby authorized to be continued available for their original purposes through June 30, 1953, and to be consolidated with the appropriation hereby authorized. (Oct. 10, 1951, ch. 479, title III, § 302 (a), 65 Stat. 376; June 20, 1952, ch. 449, § 5 (b), 66 Stat. 142.)

REFERENCES IN TEXT

The Act for International Development, referred to in the text, is classified to subchapter VI of chapter 19 of this title.

The China Area Aid Act of 1950, referred to in the text, is classified to section 1547 of this title.

CODIFICATION

Section constitutes subsection (a) of section 302 of act Oct. 10, 1951. Subsection (b) of such section 302, which amended section 1547 of this title, is classified to the latter section.

AMENDMENTS

1952—Section amended by act June 20, 1952 to strike out the words "the applicable provisions of the Economic Cooperation Act of 1948", as amended and to insert in lieu thereof "the applicable provisions of § 1654 of this title", and to add the last sentence appropriating \$202,778,252 for fiscal year 1953.

PRIOR AUTHORIZATIONS

Prior authorizations of appropriations for economic assistance to China, and general area of China, see section 1543 of this title, and note thereunder, and section 1547 of this title.

SUBSEQUENT AUTHORIZATIONS

Funds to be available as authorized and appropriated to President each fiscal year for purposes of this chapter with respect to eligible countries, see section 1663 of this title.

TRANSFERABILITY OF APPROPRIATIONS

Transferability of appropriations under this chapter, see section 1664 of this title.

KOREA

For economic assistance to Korea and appropriations therefor, see note under section 1543 of this title, and sections 1551, 1552, and 1703 of this title.

LOCAL CURRENCIES

Advancements for local currencies, or acquisition thereof for certain purposes, see section 1670 of this title.

CROSS REFERENCES

Protection of funds against attachment, see section 1666 of this title.

United Nations technical assistance for fiscal year ending June 30, 1953, contributions from funds made available under this section and sections 1681 (a) (2), 1693, and 1712 of this title not to exceed \$15,708,750, and use not to be limited to area covered by sections from which funds are drawn, see section 1557b (b) of this title.

§ 1703. Rehabilitation of Korea—(a) Authorization of amount; economic and technical assistance.

In order to provide for a United States contribution to the United Nations Korean Reconstruction Agency, established by the resolution of the General Assembly of the United Nations of December 1, 1950, there are authorized to be appropriated to the President for the fiscal year 1953 not to exceed \$45,000,000. In addition, unobligated balances of the appropriations heretofore made, and available during the fiscal year 1951, for assistance to Korea under authority of the Far Eastern Economic Assistance Act of 1950, as amended, are authorized to be continued available through June 30, 1953, and to be consolidated with the appropriation authorized by this section. In addition, the United States Department of the Army is hereby authorized to make available to the United Nations Korean Reconstruction Agency, at the time when that agency assumes full responsibility for relief and rehabilitation in Korea, goods and services of a value not to exceed \$67,500,000 which the Department of the Army then has on hand or on order for civilian relief in Korea and which the President determines should be contributed by the United States to the United Nations Korean Reconstruction Agency for use in its relief and rehabilitation operations in Korea. The value of goods and services made available pursuant to the preceding sentence shall be credited toward the contribution to be made by the United States to the United Nations Korean Reconstruction Agency. Not to exceed 50 per centum of the total of the appropriations authorized by this section may, when determined by the President to be necessary for the purpose of this chapter, be transferred to and consolidated with the appropriation authorized by section 1702 of this title.

(b) Determination of contributions by President.

The sums made available pursuant to subsection (a) of this section may be contributed from time to time on behalf of the United States in such amounts as the President determines to be appropriate to support those functions of the United Nations Korean Reconstruction Agency which the military situation in Korea permits the Agency to

undertake pursuant to arrangements between the Agency and the United Nations Unified Command.

(c) Applicability of United Nations Palestine Refugee Aid Act of 1950.

The provisions of section 1556b of this title are made applicable with respect to Korean assistance furnished under this section.

(d) Use of unencumbered balances deposited under agreement between United States and Korea.

Unencumbered balances of sums heretofore or hereafter deposited in the special account established pursuant to paragraph (2) of article V of the agreement of December 10, 1948, between the United States of America and the Republic of Korea (62 Stat., part 3, 3788) shall be used in Korea for such purposes as the President determines to be consistent with United Nations programs for assistance to Korea and as may be agreed to between the Government of the United States and the Republic of Korea.

(e) Transfer of functions to Government agencies.

The functions of the Administrator for Economic Cooperation under the provisions of section 1551 of this title, shall hereafter be performed by such departments or agencies of the Government as the President shall direct. (Oct. 10, 1951, ch. 579, title III, § 303, 65 Stat. 376; June 20, 1952, ch. 449, § 5 (d—g), 66 Stat. 143.)

REFERENCES IN TEXT

The Far Eastern Economic Assistance Act of 1950, referred to in subsection (a) is classified to a note under section 1543 of this title, and to sections 1551 and 1552 of this title.

AMENDMENTS

1952—Subsection (a) amended by act June 20, 1952, § 5 (d)—(f), which in the first sentence inserted "for fiscal year 1953" after "to be appropriated to the President", in the second sentence inserted "1953" in lieu of "1952" and inserted the next to the last sentence beginning "In addition, the United States".

Subsec. (b) amended by act June 20, 1952, § 5 (g), which repealed the last sentence which related to reduction of contributions.

PRIOR AUTHORIZATIONS

Prior authorizations of appropriations for economic assistance to Korea under the Far Eastern Economic Assistance Act of 1950, see section 1551 of this title.

SUBSEQUENT AUTHORIZATIONS

Funds to be available as authorized and appropriated to President each fiscal year for purposes of this chapter with respect to eligible countries, see section 1663 of this title.

TRANSFERABILITY OF APPROPRIATIONS

Transferability of appropriations under this chapter, see section 1664 of this title.

CROSS REFERENCES

Protection of funds against attachment, see section 1666 of this title.

SUBCHAPTER V.—AMERICAN REPUBLICS AND NON-SELF-GOVERNING TERRITORIES OF THE WESTERN HEMISPHERE

AMENDMENTS

1952—Act June 20, 1952, ch. 449, § 6, 66 Stat. 143, amended this heading by adding the words "and non-self-governing territories of the Western Hemisphere".

§ 1711. Military assistance; authorization of amount.

In order to further the purpose of this chapter through the furnishing of military assistance to the other American Republics, there are authorized to be appropriated to the President, for the fiscal year 1952, not to exceed \$38,150,000 for carrying out the purposes of this section under the provisions of the Mutual Defense Assistance Act of 1949, as amended: *Provided*, That such assistance may be furnished only in accordance with defense plans which are found by the President to require the recipient country to participate in missions important to the defense of the Western Hemisphere. Any such assistance shall be subject to agreements, as provided herein and as required by section 1573 of this title, designed to assure that the assistance will be used to promote the defense of the Western Hemisphere; and after agreement by the Government of the United States and the country concerned with respect to such missions, military assistance hereunder shall be furnished only in accordance with such agreement. (Oct. 10, 1951, ch. 479, title IV, § 401, 65 Stat. 377.)

REFERENCES IN TEXT

The Mutual Defense Assistance Act of 1949, referred to in the text, is classified to chapter 20 of this title.

SUBSEQUENT AUTHORIZATIONS

Funds to be available as authorized and appropriated to President each fiscal year for purposes of this chapter with respect to eligible countries, see section 1663 of this title.

TRANSFERABILITY OF APPROPRIATIONS

Transferability of appropriations under this chapter, see section 1664 of this title.

CROSS REFERENCES

Protection of funds against attachment, see section 1666 of this title.

§ 1712. Technical assistance; authorization of amount.

In order to further the purpose of this chapter among the peoples of the American Republics and non-self-governing territories of the Western Hemisphere through the furnishing of technical assistance, there are authorized to be appropriated to the President, for the fiscal year 1952, not to exceed \$21,250,000 for assistance under the provisions of the Act for International Development and of the Institute of Inter-American Affairs Act, as amended. (Oct. 10, 1951, ch. 479, title IV, § 402, 65 Stat. 377; June 20, 1952, ch. 449, § 6, 66 Stat. 143.)

REFERENCES IN TEXT

The Act for International Development, referred to in the text, is classified to subchapter VI of chapter 19 of this title.

The Institute of Inter-American Affairs Act, as amended, referred to in the text, is classified to sections 281—281b, and 281c—281f of this title.

AMENDMENTS

1952—Act June 20, 1952, amended section by inserting “and non-self-governing territories of the Western Hemisphere.”

SUBSEQUENT AUTHORIZATIONS

Funds to be available as authorized and appropriated to President each fiscal year for purposes of this chapter with respect to eligible countries, see section 1663 of this title.

TRANSFERABILITY OF APPROPRIATIONS

Transferability of appropriations under this chapter, see section 1664 of this title.

CROSS REFERENCES

Protection of funds against attachment, see section 1666 of this title.

United Nations technical assistance for fiscal year ending June 30, 1953, contributions from funds made available under this section and sections 1681 (a) (2), 1693, and 1702 of this title not to exceed \$15,708,750, and use not to be limited to area covered by sections from which funds are drawn, see section 1557b (b) of this title.

§ 1713. Additional appropriations.

In addition to the amounts heretofore authorized and appropriated, there are authorized to be appropriated to the President for the fiscal year 1953 not to exceed \$57,685,750 to carry out the purposes and provisions of section 1711 of this title, which relates to military assistance for Latin America, and not to exceed \$20,329,000 to carry out the purposes and provisions of section 1712 of this title, which relates to technical assistance for Latin America. In addition, unexpended balances of the appropriation heretofore made pursuant to each such section are authorized to be continued available for their original purposes through June 30, 1953, and to be consolidated with the applicable appropriation authorized by this section. (Oct. 10, 1951, ch. 479, title IV, § 403, as added June 20, 1952, ch. 449, § 6, 66 Stat. 143.)

Chapter 23.—PROTECTION OF CITIZENS ABROAD
Sec.

1731. Protection to naturalized citizens abroad.
1732. Release of citizens imprisoned by foreign governments.

§ 1731. Protection to naturalized citizens abroad.

All naturalized citizens of the United States while in foreign countries are entitled to and shall receive from this Government the same protection of persons and property which is accorded to native-born citizens. (R. S. § 2000.)

DERIVATION

Act July 27, 1868, ch. 249, § 2, 15 Stat. 224.

§ 1732. Release of citizens imprisoned by foreign governments.

Whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand of that government the reasons of such imprisonment; and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused, the President shall use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate the release; and all the facts and proceedings relative thereto shall as soon as practicable be communicated by the President to Congress. (R. S. § 2001.)

DERIVATION

Act July 27, 1868, ch. 249, § 3, 15 Stat. 224.